

**Iowa Department of Natural Resources
Natural Resource Commission**

ITEM

20

DECISION

TOPIC

**Notice of Intended Action –Chapter 571 – 98, Wild Turkey Spring
Hunting**

The Commission is requested to approve this Notice of Intended Action to amend Chapter 571 – 98, Wild Turkey Spring Hunting. Chapter 571 – 98 provides the regulations for hunting wild turkeys during the spring and include season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and method of take, and transportation tag requirements.

The proposed amendments clarify the language that defines who is eligible for free landowner tenant licenses and makes them the same for both the turkey and deer seasons.

Ken Herring, Administrator
Conservation and Recreation Division
March 13, 2008

Attachment: Chapter 98, Wild Turkey Spring Hunting NOIA

NATURAL RESOURCE COMMISSION [571]

Notice of Intended Action

Pursuant to the authority of Iowa Code section 455A.5, the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 571 – 98, “Wild Turkey Spring Hunting,” Iowa Administrative Code.

This rule provides the regulations for hunting wild turkeys during the spring and includes season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and method of take, and transportation tag requirements.

The proposed amendments clarify the language that defines who is eligible for free landowner tenant licenses and makes them the same for both the turkey and deer seasons.

Any interested person may make written suggestions or comments on the proposed amendments on or before April 29, 2008. Written comments may be directed to the Wildlife Bureau's website at www.iowadnr.gov or may be sent to the Wildlife Bureau Chief, Department of Natural Resources, Wallace State Office Building, Des Moines, Iowa 50319-0034; fax (515) 281-6794. Persons who wish to convey their views orally should contact the Wildlife Bureau at (515) 281-5034 or at the Wildlife Bureau offices on the fourth floor of the Wallace State Office Building. Also, there will be public hearings held at 18 locations via the Iowa Communications Network on April 29, 2008. Interested persons should contact the department at (515) 281-5918 for a list of hearing locations or go to the department's website at www.iowadnr.gov. At the hearings, persons may present their views either orally or in writing. At the hearings, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendments.

Any persons who intend to attend the public hearings and have special requirements such as those related to hearing or mobility impairments should contact the Department of Natural Resources and request specific accommodations.

These rules are intended to implement Iowa Code sections 481A.38, 481A.39, 481A.48, 483A.1 and 483A.7.

The following amendments are proposed.

ITEM 1. Amend rule 571--98.5(1) as follows:

~~98.5(1) Who qualifies for a free turkey hunting license. Owners or tenants of a farm unit, or a member of an owner or tenant's family who resides with the owner or tenant, are eligible for free wild turkey spring hunting licenses. The owner or tenant does not have to reside on the farm unit but must be actively engaged in farming it. Nonresident landowners do not qualify. For purposes of obtaining a free wild turkey spring hunting license, all the land under the lawful control of a landowner and eligible family members or a tenant and eligible family members shall be considered as one farm unit, regardless of how that land is subdivided for agricultural or business purposes.~~

a. Owners and tenants of a farm unit and the spouse and juvenile child of an owner or tenant who reside with the owner or tenant are eligible for free turkey licenses. The owner or tenant does not have to reside on the farm unit but must be actively engaged in farming it. Nonresident landowners do not qualify.

b. Juvenile child defined. "Juvenile child" means a person less than 18 years of age or a person who is 18 or 19 years of age and is in full-time attendance at an accredited school pursuing a course of study leading to a high school diploma or a high school equivalency diploma. A person

18 years of age or older who has received a high school diploma or high school equivalency diploma does not qualify.

ITEM 2. Amend subrule 571--98.5(6) as follows:

98.5(6) Where free licenses are valid. A free license is valid only on the farm unit of the landowner or tenant. "Farm unit" means all parcels of land that are at least two contiguous acres in size, that are operated as a unit for agricultural purposes and ~~that~~ are under lawful control of the landowner or tenant regardless of how that land is subdivided for business purposes. Individual parcels of land do not need to be adjacent to one another to be included in the farm unit. "Agricultural purposes" includes but is not limited to field crops, livestock, horticultural crops (e.g., from nurseries, orchards, truck farms, or Christmas tree plantations), and land managed for timber production.

Date

Richard A. Leopold, Director

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